



Approval of Agenda
January 22, 2019



AGENDA
LAURENS COUNTY COUNCIL
JANUARY 22, 2019 – 5:30 P.M.
HISTORIC COURTHOUSE – PUBLIC SQUARE

1. Call to Order – Chairman Pitts
2. Invocation – Vice Chairman Wood
3. Pledge of Allegiance
4. Approval of Agenda – January 22, 2019
5. Approval of Minutes - January 8, 2019 - Regular Session
6. Reports To Council:
 - a) Laurens County Development Corporation, Year in Review - Jonathan Coleman, Director
 - b) Vision 2040 Introduction
 - c) Agricultural Center Project Idea
 - d) CATE Center Project Idea- School Districts #55 and #56 – Dr. Peters & Dr. O’Shield
 - e) Public Interest Foundation – Local Government Fund - Laird Minor, President
7. Old Business:
 - a) Change Order Hillcrest HVAC - Insulation in Ceiling
 - b) Resolution #2019-01 Ordinance #782 - Fund Reassignment
 - c) Solid Waste Contract with Greenville County – Dale Satterfield
 - d) Public Hearing Ordinance #857- Flame Spray
 - e) Third Reading Ordinance #857- Flame Spray
 - f) Second Reading Ordinance #858 - MCIP Amendment for BDS Technologies, LLC
8. New Business:
 - a) First Reading Ordinance #859 - Conveyance of thirteen (13) Acres of Land to Laurens County Disability and Special Needs Board
 - b) Resolution #2019-02 Inducement Resolution “Project X”
 - c) First Reading Ordinance #860 – “Project X”
 - d) Detention Center (Sheriff) - Request to Fund Body Cams – Sheriff Reynolds
9. Public Comment - Fifteen (15) Minute Period for Public Comment (*Required to sign in prior to the meeting*)
10. County Council Comments:
11. Executive Session:
 - a) Personnel Matter - Litter and Humane Department
12. Adjournment



Approval of Minutes
January 8, 2019



MINUTES
JANUARY 8, 2019
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – COUNCIL CHAMBERS

ATTENDANCE: COUNCIL MEMBERS PRESENT - County Council Chairman Joe Wood, and County Council Members: Diane Anderson, Jeff Carroll, Stewart Jones, Garrett McDaniel, David Pitts and Kemp Younts.

COUNCIL MEMBERS ABSENT- None.

COUNTY STAFF: Laurens County Administrator, Jon Caime; Laurens County Clerk to Council, Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

STAFF ABSENT: None.

DEPARTMENT HEADS PRESENT: Debi Parker, Human Resources Manager; Lesa Inabinette, Judge, Magistrate Courts; Matt Pennington, EMS Director; Ann Szypulski, Director of the Library; Billy Wilson, Vehicle Maintenance / Procurement Manager; Joey Avery, Director of E/911 – Communications; Andy Howard, Director of Parks, Recreation and Tourism; Lisa Kirk, Director of Finance; Greg Lindley, Director, Laurens County Fire Service; Dale Satterfield, Director of Public Works and Chuck Bobo, County Codes Officer.

INVITED GUESTS – Amy Bagwell, Laurens County Litter / Humane.

PRESS: Vic MacDonald, *The Clinton Chronicle*; Iva Cadmus, WLBG Radio and John Clayton, *The Laurens County Advertiser*.

SCHEDULED AGENDA ITEMS – JANUARY 8, 2019 – 1.) Call to Order; 2.) Invocation – Councilman Jones; 3.) Pledge of Allegiance; 4.) Council Chairman and Vice Chairman Election – County Attorney Cruickshanks; a.) Nomination(s) and Vote for Chairman; b.) Nomination(s) and Vote for Vice Chairman; 5.) Approval of Agenda – January 8, 2019, 6.) Approval of Minutes – December 11, 2018 Regular Meeting; 7.) Reports To Council: a.) Portrait Presentation by Marion Carnell Family to Laurens County; b.) Capital Improvement Plan Second Version - Administrator Caime, c.) Fiscal Year 2019/2020 Budget Review Schedule; 8.) Old Business: a.) Public Hearing Ordinance #855 - Project Autumn; b.) Third Reading, Ordinance #855 - Project Autumn; c.) Public Hearing Ordinance #856 - Project Gator; d.) Third #856 - Project Gator; e.) Second Reading Ordinance #857 - Flame Spray; f.) Further Discussion, Council Meeting Schedule for July or August – Council Meeting; 9.) New Business: a.) First Reading, Ordinance #858, by title only, Amend Hunter Park Agreement; b.) Appointment – County Representative, Main Street Laurens; c.) Change Order, Hillcrest HVAC – Dale Satterfield; d.) Swearing In – Litter Humane Officer; 10.) Public Comment- Fifteen (15) Minute Period for Public Comment; 11.) County Council Comments; 12.) Executive Session: a.) Solid Waste Contractual Matter – Transfer Station; 13.)Adjournment.

MEETING NOTIFICATION – The requesting general public, department heads and Press were informed of the meeting in a timely manner. Postings of the Agenda were posted in County facilities on their bulletin boards and also posted on the County Web Site.

PUBLIC COMMENT SIGN UPS – None.

CALL TO ORDER – Chairman Wood called the meeting to order at 5:30 P.M. Councilman Jones provided the invocation and all were invited to stand for the Pledge of Allegiance.

ELECTION OF COUNTY COUNCIL OFFICERS - 2019 – Before proceeding with the scheduled meeting, Chairman Wood turned the meeting over to the County Attorney for the election of officers - Chairman and Vice Chairman.

Attorney Cruickshanks stated that both positions would be considered elected positions among their peers with four (4) votes from the attending Council and that the terms would be for two (2) years. Attorney Cruickshanks then asked for nominations for the position of Chairman.

A.) **CHAIRMAN** - Attorney Cruickshanks opened the floor for nominations for the position of Chairman.

Councilman Wood made the nomination of Councilman Pitts as Chairman. Councilman McDaniel seconding the nomination.

With no further nominations being made, Attorney Cruickshanks asked for a vote from Council to close the nominations and to approve the noted Chairman nominee.

COUNCILMAN WOOD made the MOTION to close the nominations and to approve the nomination of Councilman Pitts as Chairman with COUNCILMAN MCDANIEL SECONDING. COUNCIL VOTED 4-2-1 (Council Members Anderson and Jones in objection with Councilman Pitts abstained).

B.) **VICE CHAIR** – Attorney Cruickshanks opened the floor for nominations for the position of Vice Chairman.

Councilman Pitts made the nomination of Councilman Wood as Vice Chairman. Councilman Younts seconding the nomination.

With no further nominations being made, Attorney Cruickshanks asked for a vote from Council to close the nominations and to approve the noted nominee. COUNCILMAN PITTS made the MOTION to close the nominations and to approve the nomination of Councilman Wood as Vice Chairman with COUNCILMAN YOUNTS SECONDING. COUNCIL VOTED 4-2-1 (Council Members Anderson and Jones in objection with Councilman Wood abstained).

Chairman Pitts now presiding over the meeting (5:43 P.M.) thanked Council for their trust in electing him as Chairman. Chairman Wood said, “This Council is just before facing a lot of challenges with budgets and the continuation of business. You will find that failure is not in my vocabulary. This Council was elected to provide a variety of services for the citizens of Laurens County and it will continue under my Chairmanship and not skip a beat”.

Continuing, Chairman Pitts, recognized Jeff Carroll and Kemp Younts as new Members of Council.

APPROVAL OF AGENDA – JANUARY 8, 2019 – Chairman Pitts asked for approval of the agenda with any additions to or deletions.

Administrator Caime asked for the addition of an executive session for personnel matters. VICE CHAIRMAN WOOD made the MOTION to approve the January 8, 2019 agenda with the one executive session matter; COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

APPROVAL OF MINUTES – DECEMBER 11, 2018 – COUNCILMAN JONES made the MOTION to approve the minutes with COUNCILMAN CARROLL SECONDING; VOTE 7-0.

REPORTS TO COUNCIL:

PORTRAIT PRESENTATION BY MARION CARNELL FAMILY TO LAURENS COUNTY – Councilman Joe Wood, reported to Council, “The Marion Carnell family has presented to Laurens County, a portrait of former Governors of South Carolina. This portrait was a fixture in Representative Carnell’s Office in Columbia for many years. This Council needs to determine where to place the portrait”.

Chairman Pitts acknowledged the portrait with appreciation and asked if there were any suggestions as to where to locate the portrait. Councilman Carroll suggested placement of the portrait in the Atrium area of Hillcrest. Councilwoman Anderson stated as long as it was visible to the public. The FULL COUNCIL agreed to the placement and added that a small plaque honoring the donation be placed there as well.



CAPITAL IMPROVEMENT PLAN SECOND VERSION – Administrator Caime reviewed his perception



of a second version of a capital improvement plan for the county as follows. Administrator Caime said, “As Council recalls, there was a major reshuffling of the budget last year. This County needs to focus on a long range capital plan in order to keep up with the needs and not fall behind in planning. Vehicles are a major part of the capital plan and it needs to be advanced planning. Last year it was determined that sixty two (62) police vehicles were needed over a five (5) year period. EMS has been underfunded for a number of years. They need at least one million dollars of ambulances and QRV’s. Three hundred thirty eight thousand dollars (\$338,000) of capital was not funded last year and they will need seven (7) mills to cover capital next year”.

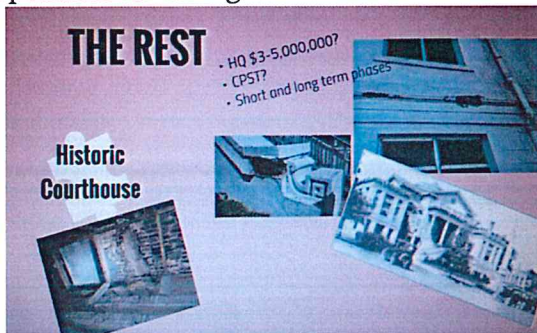
Continuing, Administrator Caime said, “Fire needs over one million two hundred thousand dollars (\$1.200,000) for capital purchases. The special purpose district monies is healthy. Capital monies are separate from operation and

maintenance line items. Keeping the millage the same during this next cycle but we may have to go back in and look at the operations funding part. Solid Waste is not self-sufficient. We are going to need new operations with the transfer station closing. Animal Controls revenue does not cover operations”.

Continuing Administrator Caime said , “In E911 we have spent one million nine hundred thousand dollars (\$1.900,000) in the past three (3) years. To advance to a five year capital plan, we need at least another one million five hundred dollars (\$1,500,000) for the needed equipment over the next five (5) years”.



Continuing, Administrator Caime said, “The other things that need a capital investment plan include a new EMS Headquarters and substations. Our roads and bridges need repaired and repaving. Our buildings – the Historic Courthouse – this County Council is responsible for taking care of.



Our next step is financing all of this, planning, prioritizing and taking the next step.

Councilman Younts asked if grants were not available. Administrator Caime replied that there is potential for some.



Our many Parks and we are blessed to have at least three (3) rivers running through Laurens County. Lake Greenwood, we need better swimming areas for our citizens to use; not a boat landing.



FISCAL YEAR 2019/2020 BUDGET REVIEW SCHEDULE - Administrator Caime provided the following schedule for upcoming budget deliberations.

January 15 – Completed budget worksheets returned to Administration.

March (goal) – Administration will present first draft to Council for information purposes only. Administration will also distribute first drafts to the department heads.

April – June – Council works on budget.

April 23, 2019 (target) (May 14th backup date) – First Reading of Budget Ordinance.

May 14, 2019 (target) (May 28th backup date) – Second Reading of Budget Ordinance.

June 11, 2019 (target) (June 25th backup date) – Public Hearing and Third Reading / Adoption.

OLD BUSINESS:

PUBLIC HEARING ORDINANCE #855 - PROJECT AUTUMN – Chairman Pitts opened the public hearing at 6:08 P.M. With no one wishing to address the Ordinance, Chairman Pitts closed the public hearing at 6:09 P.M.

THIRD READING, ORDINANCE #855 - PROJECT AUTUMN – COUNCILMAN MCDANIEL made the MOTION to approve Ordinance #855 upon third reading as presented with COUNCILMAN JONES SECONDING; VOTE 7-0

PUBLIC HEARING ORDINANCE #856 - PROJECT GATOR - Chairman Pitts opened the public hearing at 6:10 P.M. With no one wishing to address the Ordinance, Chairman Pitts closed the public hearing at 6:11 P.M.

THIRD #856 - PROJECT GATOR - COUNCILMAN JONES made the MOTION to approve Ordinance #856 upon second reading, as presented with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

SECOND READING ORDINANCE #857 - FLAME SPRAY – COUNCILMAN JONES made the MOTION to approve Ordinance #857 upon second reading, as presented with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

FURTHER DISCUSSION, COUNCIL MEETING SCHEDULE FOR JULY OR AUGUST – COUNCIL MEETING – Chairman Pitts noted that historically Council omits a meeting date in November and December due to the holidays. Councilman Woman Anderson stated that she hoped by omitting one of the meeting in July or August would create a better flow of meetings. Vice Chairman Wood stated that he felt that in doing so, it would be cutting the public short and that he had no problems with meetings during those months. Councilman Jones noted that if there was problems with meetings in those months for Council Members to attend Conferences, then this Council should select two (2) members to attend.

There was not a motion nor a second to modify the schedule but it was understood that the normal schedule for July and August would remain as is – two (2) meetings a month on the second and fourth Tuesday.

NEW BUSINESS:

FIRST READING, ORDINANCE #858, BY TITLE ONLY, AMEND HUNTER PARK AGREEMENT – Attorney Cruickshanks stated that this was adding Project gator to the multi county industrial park agreement.

VICE CHAIRMAN WOOD made the MOTION to approve with COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

APPOINTMENT – COUNTY REPRESENTATIVE, MAIN STREET LAURENS - VICE CHAIRMAN WOOD made the MOTION agreeing to appoint Dale Satterfield as the County Representative on the Main Street Laurens Board. COUNCILMAN JONES SECONDING for discussion.

Councilwoman Anderson noted that she felt it was premature in selecting Mr. Satterfield as he has only been in his position for several months. Administrator Caime asked Mr. Satterfield if he thought this appointment would be a burden to his normal schedule. Vice Chairman Wood noted that he was very qualified for this seat.

COUNCIL VOTED 6-1 (Councilwoman Anderson objected).

CHANGE ORDER, HILLCREST HVAC – Dale Satterfield, Public Works Director, brought to Council, a proposal to provide more insulation to the ceilings at Hillcrest while undergoing the upgrades to the HVAC system.

Mr. Satterfield said, “The project as a whole is moving along very well although it is complex and difficult due to the displacement of the various offices and employees while the renovations are going on. The main goal for this project is to present a strong, long term investment. The present lighting at Hillcrest is poor and now presents a problem with purchasing replacement bulbs. The present bulbs are being discontinued by the manufacturer”.

Mr. Satterfield introduced Mr. Brick Drummond from a lighting company in Greenwood to address what he is proposing the County to move to. Mr. Drummond said, “The present panels are twenty plus (20+) years old. The panel I am proposing has a twenty five (25) year service warranty. It is a two foot by two foot (2’X2’) panel that will provide better white light, reduce electrical costs and will reduce the need for maintenance and changing of the bulbs. The County should see an annual savings of about twenty seven thousand dollars (\$27,000) a year. The costs to convert existing panels would be approximately ninety eight thousand eight hundred fifty dollars (\$98,850). We would be

replacing twenty five (25) with only twelve (12) panels. The County is at a good place now while the ceilings are being removed for heat and air ducts. This is a strong return on the investment”.

Chairman Pitts asked if approving this change order, it would include the roofing, HVAC and lighting and at a total of three million six hundred thousand dollars (\$3,600,000). Administrator Caime replied that he thought it to be right at three million three hundred thousand dollars (\$3,300,000). There is three hundred thousand (\$300,000) left over from Hillcrest Administrative Offices and resulting in not financing the entire costs.

Vice Chairman Wood asked if this was turnkey, if the panels had ballasts and if this was for the entire building. Mr. Drummond replied that it was turnkey; that the panels did not have ballasts and it was for the whole building known as the Judicial / Services Building.

VICE CHAIRMAN WOOD made the MOTION to approve the change order for an additional cost of ninety eight thousand eight hundred fifty dollars (\$98,850) for the lighting panels. COUNCILMAN MCDANIEL SECONDING; VOTE 7-0.

Vice Chairman Wood asked if a discussion was going to be held regarding insulation situation. Administrator Caime said, “What we have is an older building that was renovated to include eight foot (8’) ceilings and thirteen feet (13’) of space to the roof. On the bottom of the new roof will be R24 insulation. It seems logical to me that insulation needs to be placed on that drop down ceiling space so heating and cooling will not be including that additional space. There is some debate over this and I am not prepared to provide any cost factors. We can not get the engineers to give us what the return on an investment would be. But if we are going to do it, now is the time to do it”.

Vice Chairman Wood stated that heating that extra thirteen feet (13’) of space above the ceiling is not a good thing to do.

It was concluded that the discussion of insulation would be on the agenda for the next meeting of Council.

SWEARING IN – LITTER HUMANE OFFICER – Attorney Cruickshanks swore in Ms. Amy Bagwell as a Laurens County Litter / Humane Officer.

PUBLIC COMMENT – Chairman Pitts called for public comments. There was one (1) individual in the audience that wished to speak to Council that did not sign up prior to the meeting. Chairman Pitts allowed him to speak.

1.) David Kelley, owner of CD’s BBQ and Catering on the Square in the City of Laurens, approached Council with concerns over his business not doing well and that he had spent his life savings to open and conduct business in Laurens County. His main concern appeared to be one of catering opportunities going towards Greenwood County and elsewhere than being spent in and remaining in Laurens County.

COUNTY COUNCIL COMMENTS:

1.) Councilman Carroll stated that he felt it an honor to be elected to this Council and will work towards the prosperity of the whole County.

2.) Councilman Younts stated that he felt it to be an honor to represent Council District #1 and that he has spent thirty seven years in the County and knows that there is potential for great things to happen here.

3.) Councilman McDaniel welcomed the new Council Members and encouraged attendance to the upcoming NAACP Banquet.

4.) Vice Chairman Wood welcomed Council Members Carroll and Younts and said, “As your Chairman, I did my best over the years. There is a lot of responsibility in this position. I always tried to address both sides of the issues. I support Councilman Pitts as Chairman”.

5.) Chairman Pitts welcomed Council Members Carroll and Younts as member of Council and thanked Vice Chairman Wood for his service as Chairman.

EXECUTIVE SESSION – COUNCILMAN MCDANIEL made the MOTION to move into executive session at 6:50 P.M. to discuss a solid waste contractual matter and a personnel matter. COUNCILMAN CARROLL SECONDING; VOTE 7-0.

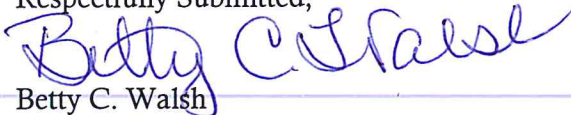
a.) **SOLID WASTE CONTRACTUAL MATTER – TRANSFER STATION** – Chairman Pitts reported that no action was taken.

b.) **ADDED – PERSONNEL MATTER** – Chairman Pitts reported that no action was taken.

There was a COUNCIL CONSENSUS to reconvene in open session at 8:37 P.M.

ADJOURNMENT – There was a COUNCIL CONSENSUS to adjourn the meeting at 8:40 P.M.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council



Reports To Council:

Agricultural Center Project Idea



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

AGENDA ITEM: 6/c DATE OF REQUEST: _____

DEPARTMENT / AGENCY: _____

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

COUNCIL ACTION REQUESTED: Consideration for a Countywide
Agricultural Complex

SUBJECT MATTER DESCRIPTION (please be as specific as possible): _____

FINANCIAL AMOUNT REQUESTED: _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

Laurens County Agriculture Complex

Annette Bodie
Clinton High School Agriculture Education Instructor
4H Volunteer and Parent

Annette Y. Bodie - Introduction

Clinton High School Agriculture Education Instructor
4H Volunteer and Parent

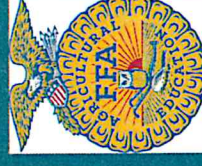


Background

- Currently we have no facilities in Laurens County to hold a horse show, livestock show, or other agriculture training events.
- Our current parks and recreation facilities cater to the youth that are involved in athletics.
- There are facilities in our state that offer places for other youth such as in the Lexington area they have Parks and Recreation areas that have horse and cattle show arenas as well as dirt bike tracks.
- Facilities that offer areas for showing livestock and horses would bring in people to our county that would spend money in our county at hotels, restaurants, etc.
- Horse people spend money!!!! We currently can not have a horse show in Laurens County.

Investing in 4h and FFA membersthey are our future leaders

4-H Mission Statement
4-H empowers youth to reach their full potential,
working and learning in partnership with caring adults.



FFA Mission Statement

FFA makes a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success.



BACKGROUND

- *currently our show participants can not come from out of state or even further away in our state because we can not offer facilities to house cattle or horses overnight

2017 Laurens Livestock Shows

Beef Cattle - 90 participants

Dairy Cattle - 36 participants

Dogs - 10 participants

Rabbits - 21 participants

Goats - 106 participants

Poultry - 7 participants

Swine - 29 (held at Laurens Livestock)

2018 Laurens Livestock Shows

Approximately 250 Exhibitors

Beef - 39 exhibitors, 60 head of cattle

Dairy Cattle - 19 Exhibitors 36 head of cattle

Dogs - 16 participants

Rabbits - 18 Exhibitors, 24 rabbits

Goats - 52 Exhibitors, 116 show goats

Swine - 30 participants

21 counties represented

Goals of the Ag Center:

Multipurpose arena that could be used for:

Horse Shows

Livestock Shows

Training (Examples: Master Gardener, 4 H clinics, FFA contests)

Host events such as rodeos, livestock judging contests, etc.

Exhibits areas (flower shows, etc.)

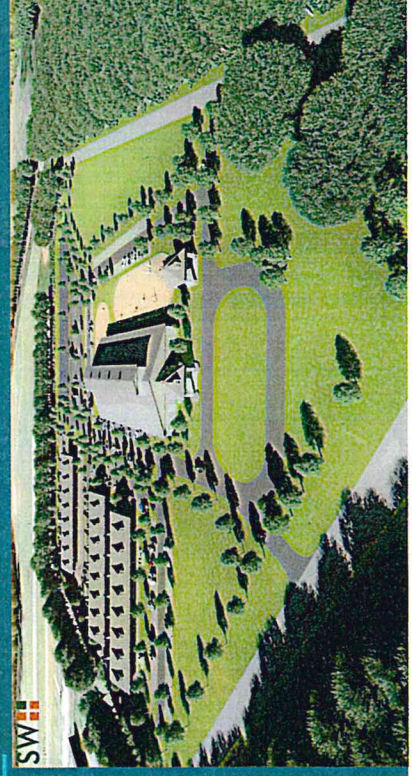
Dog Shows

Clemson Extension Training Areas

What our county deserves- THE BEST

<https://view.rnylumion.com/?v=IGzyv64iv34>

*Example drawing was done FREE by local architect just as ideas of what we could have in Laurens County on the proposed site



Proposed Location / Maintenance

Corner of Calvin Bridges Road and Torrington Road

Approximately 25 acre site

This site is currently owned by Laurens County and would be easy to be maintained by Laurens County Parks and Recreation Department



Other arenas in South Carolina

Red Bank Arena

(not covered - but nice 3 arenas)



Crescent High School Arena

*FFA and 4H contests are now held here but there are lots of complaints of how this location is not accessible from interstate and not centrally located in the state



Other arenas in South Carolina.....

T. Ed. Garrison Arena in Clemson

-separate show barns for horse and livestock
- camper hookups, bathhouse, etc.



Aiken and Camden area - specific to horses only



Letters of Support

South Carolina and Laurens County Young Farmers and Agribusiness Association

Laurens County Soil and Water Conservation

Laurens County 4H - Ashley McCarter

Clinton High School Agriculture Education Program

Laurens District 55 High School Agriculture Education

John Erwin - retired Clemson Extension Livestock Agent

South Carolina Meat Goat Association - Heather Wilson

4H Members and volunteers

Neil and Ann Crisp - Plumfield Farms

Tim Faulkner - Twin F Farms, NYFEA President Elect

Don Jackson - Laurens County resident and former council member

January 10, 2019

January 2, 2019

Dear Laurens County Council and Community,

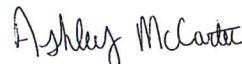
The Laurens County Youth Livestock Shows are a three-day event at the end of August consisting of art, beef cattle, dog, rabbit, meat goat, and dairy cattle shows. These shows are open to youth from across the state. The event attracts youth from as far away as Charleston, SC. At the 2018 show we had 21 different counties represented and 250 animals exhibited throughout the weekend, which is broken down by species below:

- 16 exhibitors in the dog show with 16 dogs shown
- 18 exhibitors in the rabbit show with 24 rabbits shown
- 52 exhibitors in the meat goat show with 119 goats shown
- 19 exhibitors in the dairy show with 38 heifers shown
- 39 exhibitors in the beef show with 60 heifers shown
- The art show has approximately 30 entries

The 2018 show brought in \$2,380 from entry fees and \$5,300 in sponsor donations. Our show paid our \$5,123 in premiums and awards. Our show awards the Tom Heffner Memorial Award to an exhibitor in the beef show and Wesley Robinson Memorial Award to an exhibitor in the dairy show. We also give a \$250 scholarship in memory of Wesley Robinson to the winner of the senior dairy showmanship class. This event is a community event and draws spectators from around the state. Last year, we had approximately 300 spectators throughout the weekend. Leading up to the show Laurens County 4-H hosts a livestock clinic. The 2018 had 36 participants and 63 people total in attendance. Having a facility of this caliber will help us continue to hold and grow these events.

In the past, the livestock shows were held as part of the Laurens County Fair. Laurens County 4-H started hosting the livestock shows in 2008. The show is currently held the Laurens Exchange Building at the Laurens County Fairgrounds. Volunteers bring in panels, shavings, and other supplies to set up a temporary arena. Once the show is completed, these same volunteers tear down the arena and clean up the facility. Having a multicomplex facility of this nature would allow us a place to host our show each year and showcase the agriculture industry in Laurens County. This would also create an opportunity to host clinics, workshops, and educational programs year-round to help educate our youth and community.

Sincerely,



Ashley McCarter
Laurens County 4-H Agent

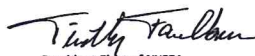
LAURENS COUNTY

219 West Laurens Street Laurens, SC 29360 P 864-984-2514 F 864-984-2402 www.clemson.edu/laurens
Clemson University Cooperative Extension Service offers its programs to people of all ages, regardless of race, color, gender, religion, national origin, disability, political beliefs, sexual orientation, gender identity, marital or family status and is an equal opportunity employer.

Dear Laurens County Council,

Let me begin by thanking you for your time and consideration in this matter. As you know, for several years now, we have not had a location for agricultural shows here in Laurens County. The organizers of such events have done an excellent job of searching and finding somewhat suitable places to have the events. However, we would like to have a permanent place for these events as well as other educational opportunities. Agriculture is constantly changing and as leaders we must try to keep up. We need the best and the brightest to help move agriculture in a way that will, not only, be mindful of our community but also keep up with the constantly increasing demand. This proposed facility will assist our community in doing just that. Also, this could be another venue to have other types of economically beneficial events here in our County.

Again, I thank you for your time.



President Elect of NYFEA
Timothy Faulkner

Annette Bodie
125 Richwood Down Drive
Laurens, SC 29360


Laurens County Council
Chairman Dr. David Pitts
PO Box 445
Laurens, SC 29360

Dear Laurens County Council,

As a land and home owner of Laurens County, parent of a 4H member, and as one of the Agriculture Education Instructors at Clinton High School, I am writing this letter in support of the proposed Agriculture Center for Laurens County. As a mother and teacher I have seen the incredible skills that our youth learn from showing livestock and small animals. They learn responsibility, dedication, and leadership skills that allow them to become productive citizens in the future. Currently in Laurens County we do not have a facility for our youth to show in. We have used the Exchange Club building and the Laurens Livestock buildings to show our animals in the past couple of years. We are grateful for the use of those facilities, however those facilities really limit the participation in those show. A larger facility with areas to house animals for overnight would allow our county to hold larger livestock shows, dog shows, and horse shows. We presently do not have an arena in Laurens County that can offer a place for horse shows that is not privately owned. Horse owners will spend tremendous amounts of money as we see across the state in Tryon with their facility. Along with offering a place for our youth and adults to show animals, the people that travel into our county for these type of events would spend money in Laurens County on hotel, restaurants, fuel, etc. The potential for economic gain for our county could really be beneficial to all of our residents.

Along with a show arena this facility could offer Clemson Extension or many other organizations the venue to training and clinics. FFA and 4H currently hold all contests and clinics associated with animals in Clemson or Iva, at Crescent High School. Both of these locations really limit participation from residents in the lower part of South Carolina due to travel. Laurens County is the perfect location to have a facility that could be used for so many diverse types of events. As a resident of Laurens County I urge you to consider supporting this endeavor for a Laurens County Agriculture Center.

Sincerely,



Annette Bodie
Agriculture Education Instructor
Clinton High School

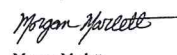
Dear Laurens County Council,

My name is Morgan Marlett and I have been involved with Laurens County 4-H for 10 years now. Since the age of eight, I have been an active 4-H'er, participating in the horse project, dog project, rabbit project, leadership project, wildlife food plot project, and now the market swine project. While I credit 4-H for giving me my love for animals, it has truly given me a lifelong community of friends and a self-confidence that I value above all else. Showing livestock and participating in my various projects taught me to work hard for what I want, to value my four-legged teammates, and to exhibit showmanship to other competitors. It has given me something to be passionate about and has pushed me to better myself and my animals each and every day.

Adding a new livestock arena to Laurens County would not only give me a place to show my animals, but give the community something new to offer the youth of Laurens County. While there are already youth sports leagues and clubs in place, 4-H works to better the whole child through their passions. A new arena would give kids the chance to raise, practice with, and show a livestock animal, but most importantly give them something to take pride in. If they were to participate in a 4-H club while raising their animal, they would receive encouragement, help, and tips from their club leaders and peers to both improve their skills as a showman, and create a safe team environment for them to grow in.

The livestock arena would also bring a new profit to Laurens County. Having an arena would allow for other counties, programs, and associations to come in and use the facility, while both generating revenue for Laurens County and bringing in new faces to our growing community. I believe that building a new livestock arena would not only benefit the youth of our area, but would better the county as a whole. Please consider adding this valuable asset to Laurens County so it can serve our community for years to come.

Sincerely,



Morgan Marlett



January 7, 2019

South Carolina 4-H/FFA Meat Goat Project
485 Torrington Road
Clinton, SC 29325
864-923-6688

January 10, 2019

Dear Laurens County Council Members:

Thank you all for taking the time to read this letter, my name is Heather Wilson. I am a Laurens County 4-H Volunteer, Home-school Mom, and Treasurer on the Advisory board of the SC 4-H/FFA Meat Goat Project. I am writing this letter to you representing the South Carolina 4-H/FFA Meat Goat Project in regards to having a Livestock show facility/multipurpose facility in Laurens County. Having a multipurpose facility in Laurens County to show livestock or house clinics would be beneficial for all types of projects, not just the Meat Goat project, because of the location being conveniently located off of 385/I-26.

The South Carolina Meat Goat Project currently uses facilities in other counties for our clinics, banquets, and Final show. For these events that our project hosts, we have families who come from the lower part of the state who stay in hotels, we also pay for judges to stay in hotels as well. Being able to host these events in Laurens County could bring that money to Laurens, and be more accessible from the interstate for more families.

The South Carolina 4-H/FFA Meat Goat Project would fully support the use of a great facility for Livestock shows or other uses to improve the quality of all of our Youth programs. Our dream is to see increased participation in these great projects who help make our Youth into strong able adults.

Laurens County Council
Dr. David A. Pitts, Chairman
PO Box 445
Laurens, SC 29360

Laurens County Council Members,

The South Carolina Young Farmer and Agribusiness Association supports the efforts of the Laurens County Parks and Recreation Department to gain funding for a Laurens County Livestock Show Facility. It is our understanding that the facility will provide educational opportunities for the youth of Laurens and surrounding counties. This facility would hold various agricultural events such as but not limited to the following:

- Livestock shows
- Swine shows
- Horse shows
- Dog shows
- Rabbit shows
- Rodeo
- FFA events and contest
- Agricultural classes for 4H and FFA
- Systematic and organized educational programs on agriculture and agribusiness for interested adults

Participation by Laurens County Youth in the various shows listed above has increased over the past several years due to the efforts of several Laurens County Associations along with Districts 55 and 56 High Schools Agriculture Programs.

Scott Bodie
South Carolina Young Farmer and Agribusiness Association
Vice President – Upstate Region

To whom it may concern,

1/12/2019

My name is Ben Irwin. I was born and raised in Laurens County and chose to raise my family here. We own and operate our family beef farm in Laurens County. My dad was one of the Clemson Extension County Agents in Laurens for 30 years. My sister and I grew up in the Laurens County 4-H program. We began showing lambs at ages 5 and 7 in 4-H, showing all across the upstate during fair season. There was not an off season for us, we raised pigs during winter and showed them in the spring. I also learned from the 4-H project how to raise and show chickens. In high school, I began showing beef cattle raised on our farm. During my 4-H career I received several awards and a scholarship. Most importantly, I learned about hard work, dedication and responsibility. These are qualities I have begun trying to teach my 2 children as well as helping to teach my 2 nephews. Three of the children already show beef cattle as well as raising bottle-fed dairy calves which they show in August.

During my 4-H career we had a show barn as well as tie barns at the fairgrounds. One of the last years I showed, we lost one of the tie barns due to a fire. It was never replaced. We had a tie area and a show ring that both were in one barn. It was used for many years until the property was sold and the barn was torn down to make way for a new development. Since then, Laurens County 4-H and FFA have been showing in the Exchange Club building. Although it is a nice facility, it is not designed for a livestock show. The show ring has to be built using cattle panels and covering the concrete floor with shavings every year. Then after a week of exhibiting everything from art to 1200 lb beef heifers, the building has to be cleaned out and the show ring taken down. Our current show facility lacks a place to tie our animals when we are not showing them and lacks an adequate size wash rack. We show our livestock rain or shine and not having a tie barn out of the weather is a huge problem.

I showed beef cattle for almost a decade all across the upstate. Two of the largest shows I participated in were in Clemson for the SC Jr. Beef Round-Up and in Columbia at the SC State Fair. People come from all around the southeast to these shows. Both shows are still being held today and both shows are two day shows. This requires that you bring your livestock in on one day and show the next two days. Therefore, if you live out of town you have to find lodging close by as well as fuel and food. So the economic impact would be great for Laurens County. If Laurens County would build this Ag Complex, it would impact our agriculture community in a mighty way. We would not only show livestock but have different 4-H trainings and programs. Both High schools in the county could use the facility for the FFA programs to continue to grow. The Ag complex would provide a place for numerous events. The building would be a great asset for the county especially since we are an agricultural county. We need to get back to our roots, take pride in our county and have a place our youth to get involved in agriculture again.

I fully support the Ag complex proposal.

Thank you,

Ben Irwin

815 Penland Rd Laurens, SC 29360 (864)553-9227

Sincerely,

Heather Wilson

South Carolina 4-H/FFA Meat Goat Project, Treasurer

864-923-6688



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

AGENDA ITEM: 6/d DATE OF REQUEST: _____

DEPARTMENT / AGENCY: Districts 55 & 56

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

COUNCIL ACTION REQUESTED: Consideration for a County wide "CATE" Center.

#55 / Du Petus #56 / Du O'Shields

SUBJECT MATTER DESCRIPTION (please be as specific as possible): _____

FINANCIAL AMOUNT REQUESTED: _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____



Reports To Council:

CATE Center Project Idea
School Districts #55 and #56
Dr. Peters & Dr. O'Shields



Reports To Council:

Public Interest Foundation
Local Government Fund
Laird Minor, President



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

AGENDA ITEM: 6/e DATE OF REQUEST: 1/3/19

DEPARTMENT / AGENCY: Public Interest Foundation

NAME: Faird Minor

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

COUNCIL ACTION REQUESTED: Consideration of joining the
legal challenge to Local Government
Fund Shortfalls.

SUBJECT MATTER DESCRIPTION (please be as specific as possible): _____

FINANCIAL AMOUNT REQUESTED: _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____



Legal Challenge to Local Government Fund Shortfalls

History of the Issue

In 1991 the South Carolina General Assembly created the Local Government Fund (LGF). Its purpose is to cover the cost to counties and municipalities of providing state-mandated services. The act requires the LGF to be funded annually with an appropriation equal to 4.5% of the previous fiscal year's General Fund revenues. This money is then apportioned among the state's counties and municipalities on a formulaic basis.

For its first 17 years the LGF was funded at the statutory amount. However, in 2008 the General Assembly began systematically underfunding it through the use of a budget proviso. That underfunding continues to this day. Initially the deficit was relatively small, but it has increased almost every year since then. In fiscal 2017-18 the General Assembly funded the LGF at only 67.8% of the required amount, a shortfall of nearly \$105 million. The cumulative shortfall since 2008 is now over \$610 million. For fiscal 2019, the LGF is to be funded at the same dollar amount as in 2017-18, but state revenues have increased so the funding percentage is even lower, probably around 65% of the required amount. (The exact figure is not yet available.) See Appendix A.

Relevant Statutes and Proviso (These are the *entire* sections, without edits or omissions.)

SC Code §6-27-30. In the annual general appropriations act, an amount equal to not less than four and one-half percent of general fund revenues of the latest completed fiscal year must be appropriated to the Local Government Fund.

SC Code §6-27-50. No section of this chapter may be amended or repealed except in separate legislation solely for that purpose.

Budget Proviso 113.5. (AS-TREAS: LGF) For Fiscal Year 2018-19, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

Proposed Lawsuit

For the reason described below, the South Carolina Public Interest Foundation (SCPIF) intends to file a lawsuit challenging the legality of this budget proviso and the resulting funding shortfall. We plan to petition the state Supreme Court to accept the case in its original jurisdiction. Given the importance of the issue we expect the Court to grant that request. If it does so, it will eliminate the necessity of proceeding through the lower courts, which saves both money and time. There will be no facts in dispute and thus no need to create a record. This is purely a legal issue, not a factual one.

Legal Basis for the Challenge

The budget proviso quoted above purports to suspend the operative sections of the LGF statute, and thus permit its underfunding. However, Code §6-27-50 seems abundantly clear: No portion of that law may be amended except in a stand-alone bill expressly for that purpose. The General Assembly has the power to amend or repeal the LGF statute if it so chooses. However, to do so it must follow the procedure established in that statute. A proviso tacked onto the annual budget bill is insufficient; it is neither "separate legislation" nor is it "solely for that purpose." Accordingly, we contend that this proviso (and every similar one which preceded it since 2008) is illegal. The General Assembly **must** either fund the LGF at the statutory amount or change the law. It has done neither.

Remedy Sought

The Supreme Court may not have the authority to order the General Assembly to appropriate funds after completion of the budget process, and even if it does it might be hesitant to do so given the amount of money involved. Accordingly, although SCPIF plans to seek recovery of past due amounts it will also seek a declaratory judgment that the proviso process employed for the last 12 years is illegal, and that in future years the General Assembly must either fund the LGF at the statutory amount or amend the law properly. This will result in either (i) a substantial increase in the annual funding to counties and municipalities, or (ii) explicit action by the legislature to amend the statute, which will put every voter in the state on notice of the reason it is necessary to increase local taxes, and thus place the blame for that squarely where it belongs: on the General Assembly.

Parties to the Lawsuit

SCPIF will serve as the lead plaintiff in this case, as it does in its other lawsuits. However, we believe it would be beneficial to have some counties and municipalities, and possibly their associations, join in the suit as plaintiffs. From a tactical perspective this will eliminate the issue of "standing", as there can be no dispute that these entities possess a direct interest in the matter and are proper parties to the lawsuit. From a practical perspective their participation will demonstrate to the Court the existence of broad political support for the suit, and will assist us in mounting a supporting public relations campaign. We are inviting participation by a number of such entities.

Costs

It is not expected that this suit will be overly expensive, especially if the Supreme Court grants original jurisdiction. We anticipate the total costs to be in the range of \$30,000. We are requesting that each participating entity make a contribution to SCPIF to help cover that expense. While not a condition to participating in the lawsuit, we are asking for contributions of at least \$5,000 from each county and \$2,500 from each municipality. If the suit is successful increased future receipts from the LGF will cover those contributions many times over. Counties and municipalities which choose not to participate as plaintiffs, as well as other entities and individuals, are also welcome to contribute financially.

Additional Information

For additional information please contact Laird Minor, President of the South Carolina Public Interest Foundation, at 864-419-2963 or via email at info@scpif.org.

* * * * *

About SCPIF

South Carolina Public Interest Foundation is an independent, non-partisan private operating foundation dedicated to ensuring that South Carolina governments, agencies and officials act in strict compliance with the state constitution and statutes. It initiates, funds and participates in strategic, principled public-interest litigation to secure governmental compliance with the law. SCPIF uses litigation, rather than political persuasion, as its primary tool to achieve its objectives, and it is the only entity in South Carolina which does so. Created in 2005, SCPIF and its founder have initiated more than 100 such lawsuits, and it appears regularly in the state courts. SCPIF is tax-exempt under Section 501(c)(3) of the Internal Revenue Code. For more information please visit its website at www.scpif.org.

Appendix A
Local Government Fund Shortfalls 2008-2018

Fiscal Year	Formula Amt.	<u>County</u>	
		Actual Funding	Shortfall
2008-09	\$247,522,304	\$231,322,804	(\$16,199,500)
2009-10	\$237,549,861	\$198,054,983	(\$39,494,878)
2010-11	\$205,762,671	\$166,731,479	(\$39,031,192)
2011-12	\$194,127,886	\$149,769,111	(\$44,358,775)
2012-13	\$208,793,198	\$174,752,511	(\$34,040,687)
2013-14	\$217,208,626	\$174,752,521	(\$42,456,105)
2014-15	\$237,137,327	\$174,752,511	(\$62,384,816)
2015-16	\$243,238,782	\$174,752,511	(\$68,486,271)
2016-17	\$258,528,609	\$183,579,979	(\$74,948,630)
2017-18	\$270,170,336	\$183,080,311	(\$87,090,025)
Total	\$2,320,039,600	\$1,811,548,721	(\$508,490,879)

Fiscal Year	Formula Amt.	<u>Municipal</u>	
		Actual Funding	Shortfall
2008-09	\$50,104,569	\$46,851,784	(\$3,252,785)
2009-10	\$48,102,128	\$40,171,694	(\$7,930,434)
2010-11	\$41,719,346	\$33,882,018	(\$7,837,328)
2011-12	\$39,444,742	\$30,537,618	(\$8,907,124)
2012-13	\$42,389,497	\$35,554,218	(\$6,835,279)
2013-14	\$44,079,324	\$35,554,218	(\$8,525,106)
2014-15	\$48,080,922	\$35,554,218	(\$12,526,704)
2015-16	\$49,306,078	\$35,554,218	(\$13,751,860)
2016-17	\$52,376,235	\$37,326,750	(\$15,049,485)
2017-18	\$54,713,862	\$37,226,418	(\$17,487,444)
Total	\$470,316,703	\$368,213,154	(\$102,103,549)

Fiscal Year	Formula Amt.	<u>Total</u>		%	% of
		Actual Funding	Shortfall		
2008-09	\$297,626,873	\$278,174,588	(\$19,452,285)	93.5%	4.2%
2009-10	\$285,651,989	\$238,226,677	(\$47,425,312)	83.4%	3.8%
2010-11	\$247,482,017	\$200,613,497	(\$46,868,520)	81.1%	3.6%
2011-12	\$233,572,628	\$180,306,729	(\$53,265,899)	77.2%	3.5%
2012-13	\$251,182,695	\$210,306,729	(\$40,875,966)	83.7%	3.8%
2013-14	\$261,287,950	\$210,306,739	(\$50,981,211)	80.5%	3.6%
2014-15	\$285,218,249	\$210,306,729	(\$74,911,520)	73.7%	3.3%
2015-16	\$292,544,860	\$210,306,729	(\$82,238,131)	71.9%	3.2%
2016-17	\$310,904,844	\$220,906,729	(\$89,998,115)	71.1%	3.2%
2017-18	\$324,884,198	\$220,306,729	(\$104,577,469)	67.8%	3.1%
Total	\$2,790,356,303	\$2,179,761,875	(\$610,594,428)		

Challenge to Local Government Fund Shortfalls

Page 4 of 4

Data Source:

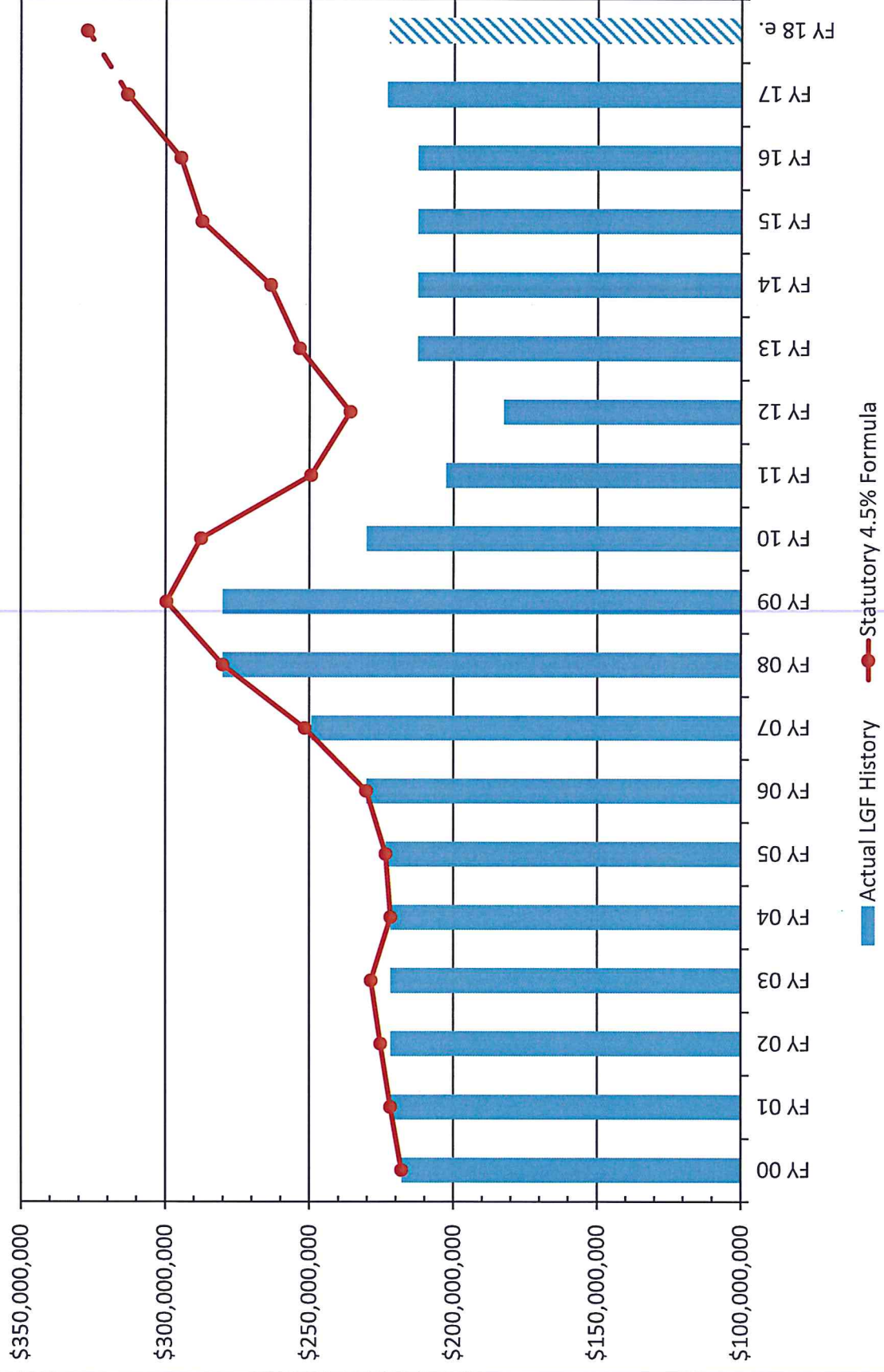
South Carolina Revenue and Fiscal Affairs Office

Economic Analysis and Reports

Local Government Finance Report

<http://rfa.sc.gov/econ/localgovt>

LOCAL GOVERNMENT FUND **Comparison of Actual Funding to Statutory Formula**





Old Business:

Resolution #2019-01 Ordinance #782
Fund Reassignment



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council.

DATE OF REQUEST: JANUARY 9, 2019 (FOR JANUARY 22, 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible): _____

SEE THE ATTACHED PROPOSED RESOLUTION 2019-01 – A RESOLUTION TO REASSIGN THE BALANCE OF FUNDS FROM ORDINANCE 782 LAURENS COUNTY FIRE DISTRICT BOND.

STAFF RECOMMENDS APPROVAL OF RESOLUTION 2019-01.

FINANCIAL AMOUNT REQUESTED: SEE THE ATTACHED

SOURCE OF FUNDING: SEE THE ATTACHED

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

RESOLUTION 2019-01

STATE OF SOUTH CAROLINA)
) A RESOLUTION OF LAURENS COUNTY COUNCIL
COUNTY OF LAURENS) TO REASSIGN FUNDS FROM ORDINANCE 782
LAURENS COUNTY FIRE DISTRICT BOND

WHEREAS, the Laurens County Council enacted Ordinance 782 on January 13, 2015; and

WHEREAS, this Ordinance provided for the issuance of general obligation bonds for and on behalf of the Laurens County Fire District for the costs of repairs and renovations of certain existing fire stations of the Fire District and construction of new fire stations and acquisition of necessary accessories therefor as defined in Section 1.01 (d) of Ordinance 782; and

WHEREAS, as of January 1, 2019, a balance remains in the bond account held by the Treasurer of Laurens County in the sum of \$503,404.94.

NOW THEREFORE, Laurens County Council, duly assembled, does hereby Resolve:

1. **PURPOSE:** The purpose of this Resolution is to authorize and direct the Treasurer of Laurens County to utilize and apply these funds toward the implementation of the provisions of the Ordinance as outlined above. Any remaining funds shall be held by the Treasurer of Laurens County for the acquisition of specific equipment and other specified capital improvements to the facilities of the Fire District. Any balance thereafter shall be held in a special fund and used to effect the retirement of the bonds.

2. **AUTHORITY:** The Laurens County Council is authorized to enact such Resolution pursuant to Section 6.01(c) of Ordinance 782.

3. **DIRECTIVE:** The Treasurer of Laurens County is authorized and directed to use and expend the remaining funds in the amount of \$503,404.94 for the purposes outlined in paragraph 1, above.

4. **CONFLICT:** All Resolutions in conflict herewith, to the extent of such conflict only, are repealed and rescinded.

5. **SEPARABILITY:** Should any part or portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

6. **EFFECTIVE DATE:** This Resolution shall take effect and be in force immediately upon a majority vote of the Laurens County Council.

(signature page attached)



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

AGENDA ITEM: 7/c DATE OF REQUEST: _____

DEPARTMENT / AGENCY: Department of Public Works

NAME: Dale Satterfield

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: _____

COUNCIL ACTION REQUESTED: _____

SUBJECT MATTER DESCRIPTION (please be as specific as possible): _____

Review / Adoption of Intergovernmental Agreement with Greenville County

FINANCIAL AMOUNT REQUESTED: _____

SOURCE OF FUNDING: _____

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
COUNTY OF LAURENS)

**INTERGOVERNMENTAL
AGREEMENT FOR DISPOSAL OF
MUNICIPAL WASTE**

THIS AGREEMENT made this _____ day of _____ 2019, by and between County of Greenville ("Greenville") and County of Laurens ("Laurens").

WHEREAS, Laurens seeks to dispose of municipal solid waste collected from residents and local businesses of Laurens, and Greenville has agreed to accept this municipal waste for disposal at Twin Chimneys Landfill located at 11075 Augusta Road, Honea Path SC ("Twin Chimneys").

WHEREAS, Laurens will transport the waste for disposal to Twin Chimneys.

WHEREAS, Laurens and Greenville estimate 20,000 tons will be disposed of annually pursuant to this Agreement; and

WHEREAS, Greenville and Laurens enter into this Agreement to define their respective rights and responsibilities, and each governing body has approved this Agreement and authorized execution by the undersigned.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement and the benefits and responsibilities flowing to and from the parties, Greenville and Laurens agree as follows,

1. Transport, Acceptance, and Disposal of Waste and Operation of Landfill.

Pursuant to this Agreement, Greenville will accept from Laurens all materials allowed by the South Carolina Department of Health and Environmental Control ("SCDHEC") for disposal in both Class II and III Municipal Solid Waste Landfills at Twin Chimneys. Disposal of special wastes will require prior waste characterization and approval by Greenville.

Laurens must transport the waste to the Twin Chimneys for disposal during normal operating hours Monday through Saturday, excluding routine landfill holidays. Laurens shall also comply with all applicable state, federal and local laws and regulations regarding the transport of waste.

To the extent applicable by law, the Greenville warrants and represents it shall operate Twin Chimneys in compliance with all statutes, rules and regulations pertaining thereto.

2. Liability Insurance.

Each party, if not already in place, shall obtain sufficient liability insurance, insuring itself, councilmen, commissioners, officials, agents, employees and other representatives against

any and all claims arising from or in any way pertaining to the services rendered or actions taken as a result under this Agreement.

3. Schedule of Tipping Fees

The schedule of tipping fees for waste accepted from Laurens pursuant to this Agreement is as follows:

- a. \$17/ton for all waste disposed in Class III
- b. \$15/ton for all waste disposed in Class II

Should Greenville seek to increase the above costs during the term of this agreement, they shall prepare and present in writing to Laurens, documentation and justification for the adjustment based on additional operating expenses incurred as the result of changes in state or federal regulations. All changes to the above costs are subject to acceptance by the charged party.

4. Term of Agreement.

The term of this Agreement shall be for five years beginning on **TBD** and ending **FIVE YEARS AFTER**. This Agreement shall automatically renew for successive one year terms beginning on **DATE CONTRACT STARTS**. This Agreement may be terminated by either party by giving notice to the other party not later than **TBD** of each year. The Agreement will automatically terminate if state, federal or local laws change to prohibit the disposal of Laurens' waste at Twin Chimneys.

IN WITNESS WHEREOF the parties hereto have set their hands and seal the day and year first above written.

COUNTY OF GREENVILLE

By: _____
Butch Kirven, Chairman
Greenville County Council

By: _____
Joseph M. Kernell
County Administrator

ATTEST:

Theresa B. Kizer
Clerk to Council

COUNTY OF LAURENS

By: _____
David A. Pitts, Chairman
Laurens County Council

By: _____
W. Jon Caime
Administrator of Laurens County

ATTEST:

By: _____
Betty C. Walsh, Clerk to County Council
Laurens County, South Carolina



Old Business:

Public Hearing Ordinance #857- Flame Spray
Third Reading Ordinance #857- Flame Spray



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: January 11, 2019 (FOR JANUARY 22 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

PUBLIC HEARING AND THIRD READING - ORDINANCE 857 – FLAME SPRAY FILOT AMENDMENT.

STAFF RECOMMENDS APPROVAL OF ORDINANCE 857.

FINANCIAL AMOUNT REQUESTED: SEE THE ATTACHED.

SOURCE OF FUNDING: SEE THE ATTACHED.

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

ORDINANCE 857

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO AMENDED AND RESTATED FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN LAURENS COUNTY AND FLAME SPRAY NORTH AMERICA, INC.; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Laurens County, South Carolina ("County"), acting by and through its County Council ("County Council"), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof ("Code"), particularly Title 12, Chapter 44 thereof ("FILOT Act") and Title 4, Chapter 1 of the Code (collectively, "Act"), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to establish projects through which the economic development of the State of South Carolina ("State") will be promoted and trade developed, thus utilizing and employing the manpower, agricultural products and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments including, but not limited to, negotiated FILOT payments, with respect to a project; (iii) to permit investors to claim special source revenue credits against their FILOT payments ("Special Source Credits") to reimburse such investors for expenditures in connection with certain infrastructure and other qualifying property related to a project; and (iv) to create, in conjunction with one or more other counties, a multi-county industrial or business park to allow certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits;

WHEREAS, pursuant to an Ordinance duly approved by the County Council, the County previously entered into that certain Fee-in-Lieu of Tax Agreement, dated March 11, 2014 (the "Original Fee Agreement") by and between the County and Flame Spray North America, Inc., a South Carolina corporation (the "Company"); and

WHEREAS, pursuant to an Ordinance duly approved by the County Council, the County previously entered into that certain Amended and Restated Fee-in-Lieu of Tax Agreement, dated March 11, 2014 (the "Fee Agreement"), by and between the County and the Company, which amended and restated the Original Fee Agreement; and

WHEREAS, the Company has informed the County of its plan to potentially make certain additional investments in the County in order to expand its existing operations in the County (such operations, together with such potential expansion, the "Project"); and

WHEREAS, in order to induce the Company to make such investments, the County desires, and the Company agrees, to make certain amendments to the Fee Agreement to: (i) extend the term of the investment period under the Fee Agreement; and (ii) provide additional Special Source Revenue Credits to the Company with respect to certain property owned by the Company in the County (the "Additional Property"), each as more fully set forth in the First Amendment to Amended and Restated Fee-in-Lieu of Tax Agreement by and between the County and the Company, the form of which is presented to the County Council at this meeting (the "First Amendment"); and

WHEREAS, based solely on information provided to the County by the Company, the County has determined that the First Amendment will subserve the purposes of the Act and has made certain findings pertaining thereto in accordance with the Act; and

WHEREAS, it appears that the First Amendment now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the County Council as follows:

Section 1. *Evaluation of the Project.* Based solely on information provided by the Company, County Council has evaluated the Project on the following criteria and based upon the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue:

- (a) whether the purposes to be accomplished by the Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County. "

Section 2. *Findings by County Council.* Based solely on information provided by and representations of the Company and the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue, as required, County Council hereby finds that:

- (a) the Project will continue to constitute a "project" as that term is defined in the FILOT Act;
- (b) the Project will continue to serve the purposes of the FILOT Act;
- (d) the Project will continue to be located entirely within the County;
- (e) the Project will continue to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally;

(f) the Project will not give rise to a pecuniary liability of the County or any municipality nor a charge against its general credit or taxing power of the County or any municipality;

(g) the purposes to be accomplished by the Project continue to be proper governmental and public purposes;

(h) the inducement of the planned additional investment by the Company is of paramount importance; and

(i) the benefits of the Project to the public continue to be greater than the costs to the public.

Section 3. Amendment of Fee Agreement. The form, terms and provisions of the First Amendment presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such First Amendment were set out in this Ordinance in its entirety. The Chair of the County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the First Amendment in the name and on behalf of the County, and thereupon to cause the First Amendment to be delivered to the Company. The First Amendment is to be in substantially the form now before this meeting and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the County Attorney and the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of First Amendment now before this meeting.

Section 4. Miscellaneous.

(a) The Supervisor/Chair and all other appropriate officials of the County are hereby authorized to execute, deliver and receive any other agreements and documents as may be required by the County in order to carry out, give effect to and consummate the transactions authorized by this Ordinance;

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina;

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council;

(d) The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder; and

(e) All ordinances, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

[SIGNATURE PAGE FOLLOWS]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



Old Business:

Second Reading Ordinance #858
MCIP Amendment for BDS Technologies, LLC



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: JANUARY 14, 2019 (FOR JANUARY 22, 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

ORDINANCE 858 2ND READING TO AMEND HUNTER MCIP AGREEMENT TO INCLUDE BDS TECHNOLOGIES, LLC.

STAFF RECOMMENDS SECOND READING APPROVAL OF ORDINANCE 858.

FINANCIAL AMOUNT REQUESTED: N/A

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

ORDINANCE #858

**AN ORDINANCE TO AMEND ORDINANCE 510 OF 2000, RELATING TO THE
JOINT COUNTY INDUSTRIAL AND BUSINESS PARK OF LAURENS AND
GREENVILLE COUNTIES SO AS TO ENLARGE THE PARK**

WHEREAS, pursuant to Ordinance 510, enacted April 25, 2000, Laurens County entered into an Agreement for Development of Joint County Industrial and Business Park, dated January 31, 2000, with Greenville County; and

WHEREAS, pursuant to Paragraph 3 of the Park Agreement, the boundaries of the park created thereon (the "Park") may be enlarged pursuant to ordinances of the respective County Councils of Laurens County and Greenville County; and

WHEREAS, (i) it is now desired the boundaries of the Park be enlarged to include certain additional property in Laurens County and (ii) in connection therewith, it is desirable to clarify the intent of the parties with respect to revenue distribution within Laurens County.

NOW, THEREFORE, BE IT ORDAINED that (a) Exhibit A to the Park Agreement is hereby and shall be amended to include the property located in Laurens County described in the schedule attached to this Ordinance, and (b) in order to accomplish the foregoing and to clarify the intent of the parties in connection with the distribution of revenues within Laurens County, the Chairman of Laurens County Council is hereby authorized to execute and deliver on behalf of Laurens County the amendment to the Park Agreement in substantially the form attached hereto.

BE IT SO ORDAINED, this _____ day of _____, 2019.

LAURENS COUNTY, SOUTH CAROLINA:

David A. Pitts, Chairman, Laurens County Council

W. Jon Caime, Laurens County Administrator

ATTEST:

Betty C Walsh, Clerk, Laurens County Council

First Reading: January 8, 2019
Second Reading: January 22, 2019
Third Reading: _____, 2019
Public Hearing: _____, 2019

**EXHIBIT A
LEGAL DESCRIPTION**

Parcel A:

All that certain piece, parcel or tract of land, situate, lying and being in the City of Laurens, County of Laurens, State of South Carolina, being shown and designated as being N/F of Marjorie Bynum Trust, TMS #382-00-00-001, containing 3.74 acres on a plat entitled, "Plat Prepared for IMP Holdings, LLC" by Survey One, LLC, dated August 14, 2018 and recorded in the Office of the Register of Deeds for Laurens County in Plat Book A823 at page 8 and having such metes, bounds, courses and distances as shown on said plat.

Parcel B:

All that certain piece, parcel or tract of land, situate, lying and being in the City of Laurens, County of Laurens, State of South Carolina, being shown and designated as being N/F of City of Laurens, TMS #906-24-01-006, containing 10.86 acres on a plat entitled, "Plat Prepared for IMP Holdings, LLC" by Survey One, LLC, dated August 14, 2018 and recorded in the Office of the Register of Deeds for Laurens County in Plat Book A823 at page 8 and having such metes, bounds, courses and distances as shown on said plat.



New Business:

First Reading Ordinance #859 –
Conveyance of thirteen (13) Acres of Land
Laurens County Disability / Special Needs Board



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: JANUARY 14, 2019 (FOR JANUARY 22, 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

ORDINANCE 859 1ST READING TO CONVEY 12.96 ACRES, MORE OR LESS, TO LAURENS COUNTY DISABILITIES AND SPECIAL NEEDS BOARD.

STAFF RECOMMENDS FIRST READING APPROVAL OF ORDINANCE 859.

FINANCIAL AMOUNT REQUESTED: N/A

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

ORDINANCE #859

**AN ORDINANCE TO CONVEY REAL ESTATE CONTAINING
12.96 ACRES, MORE OR LESS, TO LAURENS COUNTY
DISABILITIES AND SPECIAL NEEDS BOARD
AND OTHER MATTERS APPERTAINING THERETO**

WHEREAS, Laurens County Council holds title to a tract of land containing 12.96 acres, more or less, as more fully described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, on or about April 13, 1981, Laurens County Council entered into an Agreement with the Laurens County Mental Retardation Board, now known as the Laurens County Disabilities and Special Needs Board, for the construction of a facility upon the property, with Laurens County Council retaining the fee title to said property; and

WHEREAS, the Laurens County Disabilities and Special Needs Board and/or its predecessor, has constructed, maintained, and improved the building, as well as maintaining the property, over the past thirty-five (35) plus years at no cost to Laurens County; and

WHEREAS, the Laurens County Disabilities and Special Needs Board intends to invest over Four Hundred Thousand Dollars (\$400,000) to improve, remodel, upgrade, and maintain this facility in 2019; and

WHEREAS, the Laurens County Council deems it proper and in the best interest of the County to convey without further compensation the fee title of the property to the Laurens County Disabilities and Special Needs Board, subject to reversion to Laurens County if the Laurens County Disabilities and Special Needs Board shall cease to function or be dissolved.

**NOW THEREFORE BE IT ORDAINED BY LAURENS COUNTY COUNCIL,
DULY ASSEMBLED:**

1. **PURPOSE:** It is the stated purpose of this Ordinance to convey and transfer the property described in Exhibit A, subject to reversion if the Laurens County Disabilities and Special Needs Board shall cease to function or be dissolved.

2. **AUTHORITY:** This ordinance is authorized pursuant to the authority and process granted by the General Assembly of the State of South Carolina and by the Constitution of this state. Jurisdiction is exclusively within Laurens County.

3. **LANGUAGE:** The language used in this Ordinance, if used in the present tense, shall include the future tense. Words used in the singular include the plural, and the plural the singular, unless, however, the context clearly indicated to the contrary. The use of the word "shall" is mandatory and the word "may" is permissive.

4. **SEVERABILITY:** Should any paragraph, clause, phrase, or provision of this Ordinance be judged invalid or held unconstitutional by a Court of competent jurisdiction, such declaration shall not affect the validity of any other section of the Ordinance as a whole or in part or provision thereof, other than the part so decided to be invalid or unconstitutional. All meanings, enforcement, and interpretations shall be pursuant to the laws of the State of South Carolina.

5. **GENERAL PROVISION:** The Administrator and/or the Chairperson of the Laurens County Council, attested to by the Laurens County Clerk to Council, are hereby directed and authorized to execute and deliver a deed to the property, together with any other required documents to accomplish the intent and directive of this Ordinance.

6. **EFFECT:** This Ordinance shall take effect upon third reading and a public hearing as required by law.

BE IT SO ORDAINED by Laurens County Council duly assembled.

(Signature page attached)

EXHIBIT A

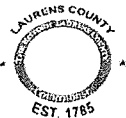
ALL that lot, piece, or parcel of land, containing 12.96 acres, more or less, being bounded, now or formerly, on Northeast by Highway S30-46, lands of Laurens County lying across said highway; on the Southeast by road connecting Highway S30-46 with Highway S30-355; on South by Highway S30-365; and on Southwest and Northwest by other land of Laurens County; said parcel of land being outlined in red on plat of survey for the County of Laurens prepared by F. Van Clinkscales annexed hereto, said survey to be completed in recordable form and hereafter recorded in the Office of the Clerk of Court for Laurens County. Said lands are portion of tract of land formerly known as the Laurens County Farm.

Recorded 12/29/2011



New Business:

Resolution #2019-02 Inducement Resolution
"Project X"



AGENDA ITEM - REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: JANUARY 14, 2019 (FOR JANUARY 22, 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible):

SEE THE ATTACHED PROPOSED RESOLUTION 2019-02 – INDUCEMENT RESOLUTION FOR PROJECT X.

STAFF RECOMMENDS APPROVAL OF RESOLUTION 2019-02.

FINANCIAL AMOUNT REQUESTED: N/A

SOURCE OF FUNDING: N/A

(PLEASE – attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS)

RESOLUTION 2019-02

A RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE EXECUTION AND DELIVERY BY LAURENS COUNTY, SOUTH CAROLINA OF A FEE IN LIEU OF TAX AGREEMENT AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT WITH PROJECT X. WITH RESPECT TO A CERTAIN INDUSTRIAL PROJECT IN THE COUNTY WHEREBY THE PROJECT WOULD BE SUBJECT TO PAYMENT OF CERTAIN FEES IN LIEU OF TAXES, AND WHEREBY THAT COMPANY WILL BE PROVIDED CERTAIN CREDITS AGAINST FEE PAYMENTS IN REIMBURSEMENT OF INVESTMENT IN RELATED QUALIFIED INFRASTRUCTURE AND OTHER PROPERTY, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, LAURENS COUNTY, SOUTH CAROLINA (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the "FILOT Act") and Title 4, Chapter 1 and Title 4, Chapter 29 (the "Multi-County Park Act") of the Code of Laws of South Carolina 1976, as amended (the "Code") (collectively, the "Acts"), to enter into agreements with industry whereby the industry would pay fees-in-lieu-of taxes ("FILOT") with respect to qualified industrial projects; to provide credits against payment in lieu of taxes for reimbursement in respect of investment in certain infrastructure and other property enhancing the economic development of the County; through all such powers the industrial development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, Project X. (the "Company"), has previously made significant investments in the County; and

WHEREAS, the Company has met the \$45 million investment target and the 40 job employment target set forth in the November 12, 2008 Fee Agreement with the County, as amended on January 12, 2012 and now plans to make an additional investment in the County of approximately \$20 million (the "Project"); and

WHEREAS, in order to induce the Company to continue its existing investments in the County and to make the above-referenced additional investment in the County, the County has decided to enter into a new FILOT and special source revenue credit agreement (the "Agreement") with the Company in order to provide certain FILOT payment benefits and certain special source revenue credit benefits with respect to investments made on or after January 1, 2019 pursuant to the Agreement; and

WHEREAS, pursuant to the authority of Section 4-1-170 of the Multi-County Park Act and Article VIII, Section 13 of the South Carolina Constitution, the County intends to use its commercially reasonable efforts to cause the Project, to the extent not already therein located, to be placed in a joint county industrial and business park such that the Project will receive the benefits of the Multi-County Park Act; and

WHEREAS, the County has determined and found that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; that the Project will give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes

to be accomplished by the Project, *i.e.*, economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; and that the inducement of the location of the Project within the County and State is of paramount importance; and that the benefits of the Project will be greater than the costs.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. Pursuant to the authority given to County Council by the South Carolina Constitution, the Code, and the Acts, and subject to the enactment of required legislative authorizations by the County Council, and for the purpose of providing development incentives for the Project through the payment by the Company of a FILOT pursuant to Section 12-44-40 of the FILOT Act, there is hereby authorized to be executed the Agreement between the Company and the County, containing substantially the following items:

- a. an Investment Period, as defined in the FILOT Act of five (5) years;
- b. calculation of FILOT Payments using an assessment ratio of six percent (6%);
- c. calculation of FILOT Payments using a millage rate of 338.35, fixed for the life of the Agreement;
- d. a term of 30 years for the Agreement and for each phase of the Project;
- e. a special source revenue credit equal to 35% for the first ten (10) consecutive years in which FILOT Payments are required to be made under the Agreement.

Section 2. The provisions, terms and conditions of the Agreement shall be prescribed and authorized by subsequent ordinance(s) of the County Council, which, to the extent not prohibited by law, shall be consistent with the terms of this Resolution.

Section 3. All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This Resolution shall take effect and be in full force from and after its passage by the County Council.

Section 4. The authorization of the execution and delivery of the documents related to the Agreement and all other related documents or obligations of the County is subject to the compliance by the County Council with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 5. It is the intention of the County Council that this Resolution shall constitute an inducement resolution with respect to the Project, within the meaning of the FILOT Act.

DONE in meeting duly assembled this 22nd day of January, 2019.

LAURENS COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
David A. Pitts, Chair, Laurens County

Council
ATTEST:

By: _____
Betty C. Walsh, Clerk to County Council,
Laurens County, South Carolina

~#4838-2892-3268 v.1~

for 1.22.19 meeting



New Business:

First Reading Ordinance #860 – “Project X”



AGENDA ITEM - REQUEST SHEET - COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council

DATE OF REQUEST: JANUARY 14, 2019 (FOR JANUARY 22, 2019 COUNTY COUNCIL MEETING)

DEPARTMENT / AGENCY: LEGAL

NAME: A. "SANDY" CRUICKSHANKS, IV, LAURENS COUNTY ATTORNEY

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE NUMBER: _____ EMAIL: _____

SIGNATURE: [Signature]

SUBJECT MATTER REQUESTED (please be as specific as possible): _____

SEE THE ATTACHED PROPOSED ORDINANCE 860 - BY TITLE ONLY - 1st READING - PROJECT X.

STAFF RECOMMENDS FIRST READING APPROVAL OF ORDINANCE 860.

FINANCIAL AMOUNT REQUESTED: SEE THE ATTACHED

SOURCE OF FUNDING: SEE THE ATTACHED

(PLEASE - attach subject matter document pages as necessary)

FOR OFFICE USE ONLY

REQUEST ASSIGNED TO: _____ DATE RECEIVED: _____

DATE OF ASSIGNMENT: _____ DATE OF AGENDA: _____

DATE RESPONSE DUE: _____

COUNCIL ACTION: _____

DRAFT
1/14-19

STATE OF SOUTH CAROLINA)
)
COUNTY OF LAURENS) ORDINANCE 860

AN ORDINANCE AUTHORIZING, PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA, AND PROJECT X; THE APPLICATION OF A SPECIAL SOURCE REVENUE CREDIT TO FEE-IN-LIEU OF TAX PAYMENTS; AND MATTERS RELATING THERETO.

~ #4818-3233-8308 v.1 ~

1st Reading Title



New Business:

Detention Center (Sheriff) - Request to Fund Body
Cams – Sheriff Reynolds



AGENDA ITEM – REQUEST SHEET – COUNTY COUNCIL

ALL REQUESTS should be submitted by 1:00 P.M. on the Wednesday prior to the Tuesday meeting of Council. All other requests not submitted by the deadline will be retained and scheduled for the next meeting of Council.

Agenda Item #:

8/d

DEPARTMENT / AGENCY: XX Sheriff's Office – Detention Center

COUNCIL ACTION REQUESTED: yes

Body Cams for Detention Officers

More Detailed Description: Detention officers interact with inmates on a daily basis. During these interactions there are things that are said and done that come into play later on with inmates accusing officers of violating policies or their rights. These body cameras help in assisting with the investigations of these allegations. They help protect the officers, as well as the county, when it comes down to lawsuits. They also assist in assuring that officers are following policies and doing the jobs they are required to perform daily. The body cameras are also a deterrent for inmates in that they are more apt to follow rules when they know they are being recorded and that these videos can and will be used against them if disciplinary actions are warranted for their behavior. I have attached documentation for the requested cameras from a company that is under state contract (same as what the Sheriff's Office is now using) and also an article that I believe outlines the pros for the usage of these cameras in the detention center as well as for the county.

FINANCIAL AMOUNT REQUESTED \$16,007.50 (quote attached)

SOURCE OF FUNDING: Housing Revenues from Newberry (attached)

(PLEASE – attach subject matter document pages as necessary)



*Office of the
Sheriff*
Laurens County
Don Reynolds



To: Laurens County Council
From: Sheriff, Don Reynolds
Subject: Security and Prevention

This letter is to address the need for body cameras. The need is a security as well as a prevention measure against liable suits.

These cameras are to be used at the Johnson Detention Center. I thank you in advance for your help and consideration. We have included information concerning this issue.

The quote for the cameras and the revenue from Newberry County is also included. It is my request for financial help from this revenue source.

Sincerely,


Don Reynolds, Sheriff



Quotation

Page 1 of 2

KUSTOM SIGNALS, INC.

9652 Loiret Blvd, Lenexa, KS 66219-2406
913-492-1400 Fax 913-492-1703
sales@kustomsignals.com www.kustomsignals.com

Date 01/01/2019

To... LIEUTENANT JAMES RIDINGS
LAURENS CO SHERIFF'S OFFICE
PO BOX 68
216 WEST MAIN STREET
LAURENS SC 29360-0068

Quote # 365999933933ET
Terms Net 30
This Quote Expires on 04/01/2019
Phone 864-984-4967
Fax 864-984-5754

Qty	Product Description	UnitPrice	SubTotal
0	VANTAGE Systems include: GPS, day/night recording, pre-event recording, audio mute, bookmarking, charging/download station & spring mounting clip, 15 mo. warranty including battery replacement.		\$0.00
0			\$0.00
25	Vantage Body Worn Camera, Standard Battery, 32GB	\$595.00	\$14,875.00
1	6 Port Multi-Dock charging/download station	\$895.00	\$895.00
25	Shipping/Handling Costs	\$9.50	\$237.50
			\$0.00
	The following is OPTIONAL and NOT included in the total below		\$0.00
	Magnetic mount	\$50.00	\$0.00
	In-car charger (dock, mount, DC power cord)	\$110.00	\$0.00
	Year 2 Extended warranty including battery replacement per camera	\$200.00	\$0.00
	Year 3 Extended warranty including battery replacement per camera	\$250.00	\$0.00
	Year 4 Extended warranty including battery replacement per camera	\$300.00	\$0.00

Total \$16,007.50

Signature

* Applicable Sales Tax Not Included. Seller may charge Buyer a 25% restocking fee.

Marc J Woolverton
District Manager
913-961-5343

Toll Free 800-4KUSTOM (800-458-7866)

KUSTOM SIGNALS, INC.
TERMS AND CONDITIONS

1. **APPLICABILITY.** Unless otherwise specified in a written bid, quote or contract, the following terms and conditions shall apply.
2. **PRICES AND TAXES.** Prices will be Kustom Signals, Inc.'s ("Seller") prices in effect on the date a purchase order is accepted by Seller, and Seller may change its prices at any time, in its sole discretion. All prices will be F.O.B. Chanute, Kansas, and net of any duties, sales, use or similar taxes, fees or assessments, and do not include shipping, packaging or any insurance costs, all of which are Buyer's responsibility.
3. **PAYMENT.** Unless otherwise provided on the face of the invoice, payment is to be paid in US dollars and in accordance with the Seller approved terms for Buyer. Partial payments are not permitted unless authorized in writing. Partial payments will be treated as non-payment. Each invoice is independent from shipping sequence and disputes relating to other invoices. Failure to pay an invoice within 30 days will be considered a default.
4. **DELIVERY AND PERFORMANCE.** Delivery dates are approximate. Seller disclaims all liability for late or partial delivery. Seller may deliver in such lots and at such times as is convenient for Seller.
5. **LOSS IN TRANSIT.** Risk of loss will pass to Buyer upon delivery of the goods to the carrier. In case of breakage or loss in transit, Buyer will have notation of same made on expense bill before paying freight. Seller may reject claims for shortages not made within 15 days of Buyer's receipt of the goods.
6. **TERMINATION, RESTOCKING CHARGES.** Buyer may terminate this purchase order for its convenience, in whole or in part, by written, faxed or telegraphic notice at any time. If Buyer terminates this purchase order for convenience, Buyer will be liable to Seller for Seller's reasonable costs incurred in the performance of this purchase order that Seller cannot mitigate. Unless otherwise agreed upon in advance in writing by Seller, Seller may charge Buyer a 25% restocking fee, if: (a) upon approval by Seller, the Buyer returns any non-defective goods covered by this invoice; or (b) prior to shipment, but after the goods are produced by Seller, Buyer cancels the order for the subject goods.
7. **WARRANTY.** Seller's warranty is provided separately.
8. **LIMITATION OF LIABILITY.** SELLER IS NOT LIABLE FOR ANY CONSEQUENTIAL, INDIRECT, OR INCIDENTAL DAMAGES, OR ANY LOST PROFITS OR LOST SAVINGS, EVEN IF A SELLER REPRESENTATIVE HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH LOSS, DAMAGES, CLAIMS OR COSTS, NOR IS SELLER LIABLE FOR ANY CLAIM BY ANY THIRD PARTY. SELLER'S AGGREGATE LIABILITY UNDER OR IN CONNECTION WITH THIS PURCHASE ORDER IS LIMITED TO THE AMOUNT PAID FOR THE GOODS.
9. **INDEMNIFICATION.** Buyer will indemnify, defend and hold Seller harmless from all losses, damages, liabilities and costs, including attorneys' fees, incurred or sustained by Seller as a result of any third party claim made against Seller, including a claim by a customer of Buyer, arising from its negligent, reckless, willful, or intentional actions in marketing and reselling the goods.
10. **EXPORT RULES.** Exports and re-exports of the goods may be subject to United States export controls and sanctions administered by the U.S. Department of Commerce Bureau of Industry and Security under its Export Administration Regulations ("EAR"). Buyer shall comply with all laws, rules and regulations applicable to the export or re-export of goods including but not limited to EAR which includes, among other things, screening potential transactions against the U.S. Government's (i) list of prohibited end users, and (ii) list of prohibited countries. Buyer represents and warrants that (i) it has not been charged with, convicted of, or penalized for, any violation of EAR or any statute referenced in EAR §766.25, and (ii) it has not been notified by any government official of competent authority that it is under investigation for any violation of EAR or any statute referenced in EAR §766.25.
11. **MISCELLANEOUS.** These terms and conditions, together with any other written agreement between Buyer and Seller, if any: (i) are the exclusive statements of the parties with respect to the subject matter and supersedes any prior or contemporaneous communications; (ii) may not be amended except in writing executed by the parties and will prevail in any case where the terms of Buyer's purchase order or other communication are inconsistent; (iii) will be interpreted and enforced in accordance with the laws of the State of Kansas, without giving effect to principles of conflicts of law. These terms and conditions are: (1) solely for the benefit of the parties, and no provision of these terms and conditions will be deemed to confer upon any other person any remedy, claim, liability, reimbursement, cause of action or other right. Each party consents to the exclusive personal jurisdiction of the state and federal courts located in the State of Kansas for purposes of any suit, action or other proceeding arising out of this Agreement, waives any argument that venue in any such forum is not convenient and agrees that the venue of any litigation initiated by either of them in connection with this Agreement will be in either the District Court of Johnson County, Kansas, or the United States District Court, District of Kansas. If any provision of these terms and conditions is unenforceable, the remaining provisions will remain in effect. No waiver (whether by course of dealing or otherwise) is effective unless it is made in writing and signed by the party to be charged with such waiver. Unless otherwise specified in writing, notices must be given in writing by registered or certified mail, return receipt requested, addressed to:

Kustom Signals, Inc.
Attn: Sales Dept.
9652 Loiret
Lenexa, KS 66219

Why all COs should wear body cameras

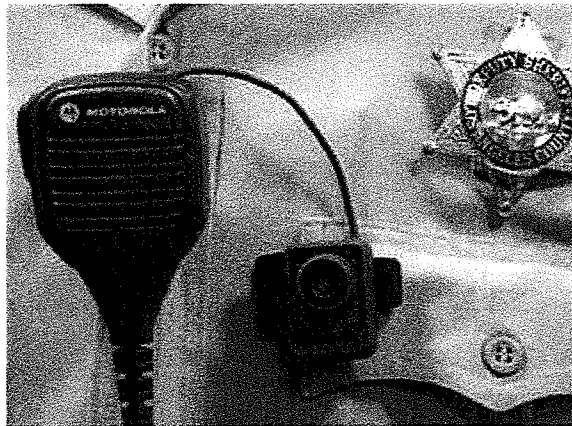
If a picture is worth a thousand words, why aren't corrections officers wearing body cameras to protect themselves?

Nov 4, 2014

By William Daly, C1 Contributor

We have all asked the question, what if? Life is full of what if choices. Each of those choices will make or break us. Asking what if questions can squander opportunities or challenge us to ponder an issue before it comes to pass. Which brings me to the point of this article: what if correctional staff were equipped with personal body cameras?

The innovation of technology has fundamentally revolutionized how society communicates and acquires knowledge. We have all heard the saying, 'a picture is worth a thousand words.' If that's the case, then a video can be priceless. What if we had those capabilities at our disposal in our facilities?



(AP Photo/ Nick Ut)

The technology available in jails and prisons in the 80s is dwarfed by the availability of surveillance capabilities today. Technology does not stand still and is now used heavily by not only the populace, but many law enforcement agencies. Though body cameras are not an entirely new concept and used by our nations' police departments, they are comparatively innovative to corrections.

The positives of any type of video surveillance in the correction environment are many to include: improved visual coverage of movement and activity, accountability of behavior and order with live and recorded capabilities. I can understand the trepidation of feeling monitored or the Big Brother state that is depicted in George Orwell's 1984, but the unbiased optics of fixed video that are already in place in most facilities will only be enhanced with this next generation of technology now made mobile.

Thomas Jefferson once advised that "whenever you do a thing, act as if the entire world were watching." We as correctional staff work the toughest precincts and beats in the country, saturated with society's problematic citizens. We cannot think of this technology as a detriment to our profession, but instead as an effective device in an already limited arsenal of tools we can carry and employ.

We can use this technology to help mitigate false accusations and avoid lengthy and costly litigation by those in our custody. A typical day for us can transform into a perilous situation very quickly. I ask the question; why not use the 'CERTS breath mint' distance (otherwise known as the bad breath test) of audio and video to ascertain from an up close and personal position what was truly said and done, and what these devices proffer to assist in our daily duties?

The use of body cameras by police departments has had an overwhelmingly positive impact of enhanced officer safety, reduced liability and other effects on policing; this can only carry over to corrections. As a profession, we may be slow to the technology game, but I can see these devices being a positive mainstay to our operations and video surveillance of our nation's facilities.

No longer will departments solely be limited to purely post hoc prolonged staff reports, inmate statements, medical narratives, etc. We can now go to the video tape, literally. Transparency and accountability of already steadfast staff, with the addition of body camera audio and video, will make our work environments safer for everyone – most importantly, staff.

Of course, there will be risks and obstacles that necessitate careful calculation. This may include concerns of device tampering and/or manipulation, the overreliance and complacency of staff in its use of technology, activation, discretion, privacy and prudence in its use. But these are concerns that can be overcome with strict policy and controls.

In business, evolve or perish is the motto. Overtaking and outshining your competitors is the norm. In corrections, inmates are our competitors and we need to be ahead of the curve. By no means is the emergence of body-worn cameras a perfect science, nor is this presumed to be the "silver bullet." In fact, it would be a disservice to deem that a body camera system will encapsulate everything that happens during our day or specific incident.

However, it will upgrade our capabilities and increase transparency to an otherwise publically closed-door profession.

Humans, which are fundamental to corrections, have been and will always be the most integral part of the job. Will the introduction of this new technology deter misconduct by staff and inmates? Will it discourage lying and falsifying documents by staff and inmates? Will it placate to the public outcry and criticism?

At least at this point, all signs lead to an improvement to our current environments and the ability to see and hear an unbiased view from a staff perspective that was not necessarily available in the past.

I am positive this will change contingent upon ways to overcome financial and technical obstacles.

Corrections needs to incorporate not only best practices (that which has already been proven) but also next practices, which are the innovative new things in this ever-changing environment, both data-driven and results-oriented that will propel us to heightened security operations.

We are experiencing our latest evolution and body cameras may prove to be relevant to that end. Will our departments be next to leverage the right mix of technology available to improve and transform upon your daily duties and safety? What if we don't?

About the Author:

William Daly, CPM, CCE, CJM is a veteran in the field of Corrections, in his 28th year. Daly is a retired Captain from the New York City Department of Correction and currently the Director of the Salt River Department of Correction, in Scottsdale, Arizona. He is a Certified Public Manager, as well as, a Certified Corrections Executive and Certified Jail Manger through the American Correctional Association and American Jail Association respectively.

Tags ☐ Corrections • Body Cameras

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Total Number of Inmates Housed	70
Total Number of Days Housed	1290

1290 Days Housed x \$25.00 Per Day	\$32,250.00
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See breakdown of inmates attached

Newberry County Inmate Housing for September 2018

Total Number of Inmates Housed	42
Total Number of Days Housed	1246

1246 Days Housed x 25.00 Per Day	\$31,150.00
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See breakdown of inmates attached

Newberry County Inmate Housing for October 2018

Total Number of Inmates Housed	89
Total Number of Days Housed	1166

1166 days x \$25.00 Per Day	\$29,150.00
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See breakdown of inmates attached

Newberry County Inmate Housing for November 2018

Total Number of Inmates Housed	65
Total Number of Days Housed	1156

1156 Days Housed x \$25.00 Per Day	\$28,900.00
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Newberry County Inmate Housing for December 2018

Total Number of Inmates Housed	78
Total Number of Days Housed	1078

1078 Days x \$25.00 Per Day	\$26,950.00
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See break down of inmates attached

Total as of Dec 2018
\$ 148,400.00